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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/673,656

09/29/2003

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05/30/2008

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EXAMINER

GREY, CHRISTOPHER P

ART UNIT

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/673,656	<b>Applicant(s)</b> NAKAMURA ET AL.	
	<b>Examiner</b> CHRISTOPHER P. GREY	<b>Art Unit</b> 2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 20 June 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 7, 12, 13 and 15-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 7, 12, 13 and 15-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>see attached</u> .  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 7, 12, 13 and 15-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dobrica (US 5875215) in view of Dann (US 4489354).

**Regarding Claim 7** Dobrica discloses a first communication apparatus (**Col 5 lines 42-43, transmission system**) comprising:

Dobrica discloses means for generating a signal, which has a frame comprising a plurality of slots, and includes one or more known pilot symbols (**fig 1, plurality of pilot symbols are depicted Col 6 lines 35-39**).

Dobrica discloses means for transmitting the signal **Col 5 lines 42-43, transmission system**).

Dobrica discloses means for receiving the signal (**fig 2, synchronizing unit is equivalent to a receiving unit**).

Dobrica discloses means for carrying out coherent detection by using the pilot symbols included in the signal (**Col 7 lines 52-54, coherently detected symbol; and abstract**).

Dobrica does not specifically disclose means for generating one or more sync words for frame alignment in each of the slots and means for establishing frame

alignment by using the sync words included in the signal, and wherein the means for carrying out coherent detection carries out coherent detection by also using the sync words after the frame synchronization is established.

Dann discloses encoding a signal in an apparatus, where a sync generator (means), provides a sync word, which periodically interrupts a pilot signal **(Col 10 lines 64-67 and Col 12 lines 8-16 and Col 12 lines 61-65).**

Dann also discloses detecting receiving a modulated signal in an apparatus (fig 8), demodulating such a signal and a decoder for detecting a sync word **(Col 13 lines 37-38 and Col 14 lines 55-57)** and making a time based correction based on the detection **(Col 14 lines 66-67, time base correction equivalent to frame alignment).**

It would have been obvious to one of the ordinary skill in the art at the time of the invention to combine the sync word generator as disclosed by Dann within the transmitter as disclosed by Dobrica. The motivation for the use of a sync word is to control at least part of the reproduction of the modulated information in the receiver (see abstract).

The combined teachings of Dobrica and Dann do not specifically disclose wherein the means for carrying out coherent detection carries out coherent detection by also using the sync words after the frame synchronization is established.

Tsuda discloses wherein the means for carrying out coherent detection **(fig 9, 202)** carries out coherent detection by also using the sync words **(Col 2 lines 15-22, where frame synchronization is established based on the detection of the sync word)** after the frame synchronization is established **(frame synchronization is**

**established at 207 in fig 9 based on the syn word detected in 206, however, if the previous input signal was synchronized, the current signal will now use the sync word to perform the frame synchronization, where previously a frame synchronization occurred to the previous input signal).**

It would have been obvious to one of the ordinary skill in the art at the time of the invention was disclosed to modify the combined teachings of Dobrica and Dann, as taught by Tsuda in Col 1 lines 60-65, that such a modification will overcome the problem of carrier offset in coherent detection.

**Claim 12** Dobrica discloses means for receiving a signal, which has a frame comprising a plurality of slots, and includes one or more known pilot symbols (**fig 1, plurality of pilot symbols are depicted Col 6 lines 35-39).**

means for carrying out coherent detection by using the pilot symbols included in the signal (**Col 7 lines 52-54, coherently detected symbol; and abstract).**

Dobrica does not specifically disclose means for receiveing one or more sync words for frame alignment in each of the slots and means for establishing frame alignment by using the sync words included in the signal, and wherein the means for carrying out coherent detection carries out coherent detection by also using the sync words after the frame synchronization is established.

Dann discloses encoding a signal in an apparatus, where a sync generator (means), provides a sync word, which periodically interrupts a pilot signal (**Col 10 lines 64-67 and Col 12 lines 8-16 and Col 12 lines 61-65).**

Dann also discloses detecting receiving a modulated signal in an apparatus (fig 8), demodulating such a signal and a decoder for detecting a sync word (**Col 13 lines 37-38 and Col 14 lines 55-57**) and making a time based correction based on the detection (**Col 14 lines 66-67, time base correction equivalent to frame alignment**).

It would have been obvious to one of the ordinary skill in the art at the time of the invention to combine the sync word generator as disclosed by Dann within the transmitter as disclosed by Dobrica. The motivation for the use of a sync word is to control at least part of the reproduction of the modulated information in the receiver (see abstract).

The combined teachings of Dobrica and Dann do not specifically disclose wherein the means for carrying out coherent detection carries out coherent detection by also using the sync words after the frame synchronization is established.

Tsuda discloses wherein the means for carrying out coherent detection (**fig 9, 202**) carries out coherent detection by also using the sync words (**Col 2 lines 15-22, where frame synchronization is established based on the detection of the sync word**) after the frame synchronization is established (**frame synchronization is established at 207 in fig 9 based on the syn word detected in 206, however, if the previous input signal was synchronized, the current signal will now use the sync word to perform the frame synchronization, where previously a frame synchronization occurred to the previous input signal**).

It would have been obvious to one of the ordinary skill in the art at the time of the invention was disclosed to modify the combined teachings of Dobrica and Dann, as

taught by Tsuda in Col 1 lines 60-65, that such a modification will overcome the problem of carrier offset in coherent detection.

**Regarding Claim 13,** Dobrica discloses generating a signal, which has a frame comprising a plurality of slots, and includes one or more known pilot symbols (**fig 1, plurality of pilot symbols are depicted Col 6 lines 35-39**).

Dobrica discloses for transmitting the signal **Col 5 lines 42-43, transmission system**).

Dobrica discloses s for receiving the signal (**fig 2, synchronizing unit is equivalent to a receiving unit**).

Dobrica discloses carrying out coherent detection by using the pilot symbols included in the signal (**Col 7 lines 52-54, coherently detected symbol; and abstract**).

Dobrica does not specifically disclose means for generating one or more sync words for frame alignment in each of the slots and means for establishing frame synchronization by using the sync words included in the signal, and wherein the step of carrying out coherent detection carries out coherent detection by also using the sync words after the frame synchronization is established.

Dann discloses encoding a signal in an apparatus, where a sync generator (means), provides a sync word, which periodically interrupts a pilot signal (**Col 10 lines 64-67 and Col 12 lines 8-16 and Col 12 lines 61-65**).

Dann also discloses detecting receiving a modulated signal in an apparatus (fig 8), demodulating such a signal and a decoder for detecting a sync word (**Col 13 lines**

**37-38 and Col 14 lines 55-57)** and making a time based correction based on the detection **(Col 14 lines 66-67, time base correction equivalent to frame alignment).**

It would have been obvious to one of the ordinary skill in the art at the time of the invention to combine the sync word generator as disclosed by Dann within the transmitter as disclosed by Dobrica. The motivation for the use of a sync word is to control at least part of the reproduction of the modulated information in the receiver (see abstract).

The combined teachings of Dobrica and Dann do not specifically disclose wherein the means for carrying out coherent detection carries out coherent detection by also using the sync words after the frame synchronization is established.

Tsuda discloses wherein the means for carrying out coherent detection **(fig 9, 202)** carries out coherent detection by also using the sync words **(Col 2 lines 15-22, where frame synchronization is established based on the detection of the sync word)** after the frame synchronization is established **(frame synchronization is established at 207 in fig 9 based on the syn word detected in 206, however, if the previous input signal was synchronized, the current signal will now use the sync word to perform the frame synchronization, where previously a frame synchronization occurred to the previous input signal).**

It would have been obvious to one of the ordinary skill in the art at the time of the invention was disclosed to modify the combined teachings of Dobrica and Dann, as taught by Tsuda in Col 1 lines 60-65, that such a modification will overcome the problem of carrier offset in coherent detection.



**Claim 15** Dobrica discloses receiving a signal, which has a frame comprising a plurality of slots, and includes one or more known pilot symbols (**fig 1, plurality of pilot symbols are depicted Col 6 lines 35-39**)

carrying out coherent detection by using the pilot symbols included in the signal (**Col 7 lines 52-54, coherently detected symbol; and abstract**).

Dobrica does not specifically receiving a signal which has one or more sync words for frame synchronization, establishing frame synchronization by using the sync words included in the signal, and wherein the means for carrying out coherent detection carries out coherent detection by also using the sync words after the frame synchronization is established.

Dann discloses encoding a signal in an apparatus, where a sync generator (means), provides a sync word, which periodically interrupts a pilot signal (**Col 10 lines 64-67 and Col 12 lines 8-16 and Col 12 lines 61-65**).

detecting receiving a modulated signal in an apparatus (fig 8), demodulating such a signal and a decoder for detecting a sync word (**Col 13 lines 37-38 and Col 14 lines 55-57**) and making a time based correction based on the detection (**Col 14 lines 66-67, time base correction equivalent to frame alignment**).

It would have been obvious to one of the ordinary skill in the art at the time of the invention to combine the sync word generator as disclosed by Dann within the transmitter as disclosed by Dobrica. The motivation for the use of a sync word is to control at least part of the reproduction of the modulated information in the receiver (see abstract).

The combined teachings of Dobrica and Dann do not specifically disclose wherein the means for carrying out coherent detection carries out coherent detection by also using the sync words after the frame synchronization is established.

Tsuda discloses wherein the means for carrying out coherent detection (**fig 9, 202**) carries out coherent detection by also using the sync words (**Col 2 lines 15-22, where frame synchronization is established based on the detection of the sync word**) after the frame synchronization is established (**frame synchronization is established at 207 in fig 9 based on the syn word detected in 206, however, if the previous input signal was synchronized, the current signal will now use the sync word to perform the frame synchronization, where previously a frame synchronization occurred to the previous input signal**).

It would have been obvious to one of the ordinary skill in the art at the time of the invention was disclosed to modify the combined teachings of Dobrica and Dann, as taught by Tsuda in Col 1 lines 60-65, that such a modification will overcome the problem of carrier offset in coherent detection.

**Claim 16** Dobrica discloses the means for generating including a pilot symbol portion at fixed intervals in each of the slots in the signal (**see fig 1**).

Dobrica does not specifically disclose the sync word portion alternating at fixed intervals in each of the slots in the signal.

Dann discloses the sync word being inserted to interrupt the pilot symbol at periodic instances (**Col 10 lines 64-67**).

It would have been obvious to one of the ordinary skill in the art at the time of the invention to combine the sync word generator as disclosed by Dann within the transmitter as disclosed by Dobrica. The motivation for the use of a sync word is to control at least part of the reproduction of the modulated information in the receiver (see abstract).

**Claim 17** Dobrica discloses the means for generating including a pilot symbol portion at fixed intervals in each of the slots in the signal (**see fig 1**).

Dobrica does not specifically disclose the sync word portion alternating at fixed intervals in each of the slots in the signal.

Dann discloses the sync word being inserted to interrupt the pilot symbol at periodic instances (**Col 10 lines 64-67**).

It would have been obvious to one of the ordinary skill in the art at the time of the invention to combine the sync word generator as disclosed by Dann within the transmitter as disclosed by Dobrica. The motivation for the use of a sync word is to control at least part of the reproduction of the modulated information in the receiver (see abstract).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHRISTOPHER P. GREY whose telephone number is (571)272-3160. The examiner can normally be reached on 10AM-7:30PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Moe Aung can be reached on (571)272-7314. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Supervisory Patent Examiner, Art Unit 2616

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